



Office of the General Counsel
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January 6, 2015

Mr. Daniel Latner

[REDACTED]
New York, New York 10016

Dear Mr. Latner:

This letter will confirm our telephone discussion of January 5, 2015 relating to your letter addressed to the Mount Sinai Privacy Office, dated December 26, 2014.

As discussed, Mount Sinai Health System and specifically, West Park Medical Group and Linda Attoe, M.D., did not violate your patients' rights as you asserted in your letter of December 26, 2014.

In your letter you alleged that, "...your organization illegally sold my personal and medical information to an unregulated, unrelated 3rd party for the purposes of telemarketing to me and patients like me". This is a wholly untrue allegation.

In accordance with the federal Health Insurance Portability and Accountability Act (commonly referred to as HIPAA), health care organizations (known as "covered entities") are permitted to utilize clinical and/or demographic information about patients to contact patients about future/follow-up appointments for treatment or services at their facilities. Further, covered entities may utilize such clinical and/or demographic information to contact patients in order to recommend possible treatment alternatives or health related benefits and services that may be of interest to a patient (i.e. flu vaccinations). Similar to other facilities, West Park Medical Group contracts with a third party vendor, *Patient Prompt*, to perform such reminder and treatment alternatives services on their behalf. In accordance with the HIPAA regulations, Patient Prompt, is considered a *Business Associate* and has entered into a contract with West Park Medical Group to provide these services. Contacting patients as described above is a lawful practice and compliant with HIPAA. Your clinical and demographic information was not sold, nor was any profit gained from West Park Medical Group contracting with *Patient Prompt*.

In accordance with the HIPAA regulations, patients have the right to opt-out of receiving the aforementioned appointment reminders, treatment alternatives, benefits and services. In our telephone discussion, you acknowledged that you sent a letter to West Park Medical Group, dated September 20, 2014, stating that the aforementioned follow-up

I was never informed that I was opted-in, and I never agreed to that. My privacy call was given only to my doctor. -De

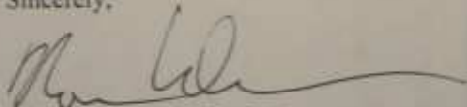
activity conducted by *Patient Prompt* was occurring and that you requested it to cease. I personally spoke with The Practice Administrator for West Park Medical Group, who advised that she promptly communicated with *Patient Prompt* as well with you, in September 2014, to ensure that no future communications would be made to you for follow-up appointments or treatment alternatives by *Patient Prompt*. You acknowledged that you have not received any such communications from Patient Prompt since that time. You exercised your right to opt-out of these communications and West Park Medical Group complied with your request in a timely manner.

Further, be advised that in accordance with your request, your cellular telephone number was deleted from the records of the West Park Medical Group. Other demographic and clinical information contained in the West Park Medical Group database will not be removed.

Please know that our staff endeavors to comply with all laws and regulations that pertain to patient privacy and confidentiality

Thank you for choosing to obtain certain of your medical services at West Park Medical Group.

Sincerely,

A handwritten signature in black ink, appearing to read 'Norm Werner', with a long horizontal flourish extending to the right.

Norm Werner, FACHE
Director, Corporate Compliance